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THE WOLF FIRM, A Law Corporation

UNITED STATES DISTRICT OF CALIFORNIA
SOUTHERN DISTRICT OF CALIFORNIA

VICTORIA A. AMELINA, an
individual; and A.A.; D.S and B.S.,
each individuals and minors by and
through their Gaurdian Ad Litem,
Victoria A. Amelina

Plaintiffs,

vs.

MANUFACTURES AND TRADERS
TRUST COMPANY aka M&T BANK;
SAFEGUARD PROPERTIES, LLC.;
and THE WOLF LAW FIRM, A Law
Corporation,

Defendants.

Case No.: 14CV1906-WQH-NLS

**DECLARATION RE
NONMONETARY STATUS OF
DEFENDANT THE WOLF FIRM**
[Civil Code §29241]

Complaint Filed: August 13, 2014
Amended Complaint : October 27, 2014
Trial Date: Not Set

I, ABE G. SALEN, declare:

1. I am over the age of 18 years old, and an attorney at law, duly
licensed and admitted to practice before all courts of the State of California, and
the United States District Courts for the Northern, Eastern, Central and Southern
Districts of California.

1 2. I am an attorney at The Wolf Firm, A Law Corporation, attorneys of
2 record for Defendant The Wolf Firm, A Law Corporation (“The Wolf Firm”), and I
3 am the associate attorney assigned to handle the above-entitled matter filed in the
4 United States District of California, Southern District as Case Number 14CV1906-
5 WQH-NLS. I make this declaration pursuant to Civil Code §2924l on behalf of
6 The Wolf Firm.

7 3. Pursuant to Civil Code §2924l(g), trustee “includes any agent or
8 employee of the trustee who performs some or all of the duties of a trustee under
9 this article, and includes substituted trustees and agents of the beneficiary or
10 trustee.”

11 4. Pursuant to the Substitution of Trustee, The Wolf Firm was
12 substituted in as trustee under the Deed of Trust dated April 23, 2010, and recorded
13 on May 4, 2010, as Instrument No. 20100222303, in the Official Records of San
14 Diego County, California (“Deed of Trust”). The Substitution of Trustee is dated
15 February 25, 2014, and recorded on April 28, 2014, as Instrument No.
16 20140167524, in the Official Records of San Diego County, California
17 (“Substitution of Trustee”).

18 5. I am informed and believe that The Wolf Firm acted only in its
19 capacity as a trustee in the above-referenced matter, if it acted at all, with respect to
20 the Plaintiffs named herein and the allegations pertaining to it in the Complaint.

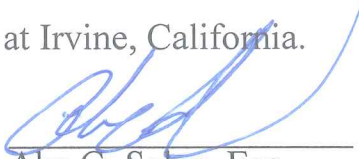
21 6. I maintain a reasonable belief that The Wolf Firm has been named as
22 a defendant in the above-entitled matter in its capacity as trustee (pursuant to Civil
23 Code §2924l(g)) under the Deed of Trust and to all allegations stated in the
24 Complaint.

25 7. Further, it is my reasonable belief based upon my reading of the
26 Complaint, that The Wolf Firm has not been named as a defendant in the
27 Complaint due to any acts or omissions on its part in the performance of its duties
28 as trustee.

1 8. I am informed and believe that The Wolf Firm agrees to be bound by
2 whatever order or judgment is issued by the Court regarding the above described
3 Deed of Trust, so long as such judgment does not award damages, fees, or costs.

4 I declare under penalty of perjury under the laws of the State of California
5 that the foregoing is true and correct.

6 Executed on November 17, 2014, at Irvine, California.

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9 Abe G. Salen, Esq.
10 Attorney for Defendant,
11 THE WOLF FIRM, A Law
12 Corporation
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CERTIFICATE OF SERVICE

I am over the age of eighteen years and not a party to nor interested in the within action. My business address is 2955 Main Street, Second Floor, Irvine, California 92614.

A true and correct copy of the foregoing document(s), entitled: **DECLARATION RE NONMONETARY STATUS OF DEFENDANT THE WOLF FIRM** will be served or was served (a) on the judge in chambers in the form and manner required by Local Rule ("LR") 5.4.

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders, the foregoing documents will be served by the Court via NEF and hyperlink to the document. On November 17, 2014, I checked the CM/ECF docket for this matter and determined that the following persons on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated on the attached service list.
2. **SERVED BY UNITED STATES MAIL:** On November 17, 2014, I served the following persons and/or entities at the last known address in this case by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid and addressed as follows.
3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state the method for each person or entity served): Pursuant to F.R.Civ. P. 5 and/or controlling local rules, on August 20, 2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the Judge here constitutes a declaration that personal service on overnight mail to, the judge will be completed no late than by 12:00 p.m. (Noon) the following business day. Service information continued on attached service list.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on November 17, 2014, at Irvine, CA.



Gaston Felton

SERVICE LIST

Victoria A. Amelina v. Manufactures and Traders Trust Company aka M&T Bank,
et al.

Case No. 14CV1906-WQH-NLS

I. SERVED ELECTRONICALLY VIA NEF

Jessica R.K. Dorman, Esq.
Robert L. Hyde, Esq.
Hyde & Swigart
2221 Camino Del Rio South, Suite 101
San Diego, CA 92108
Email: Jessica@westcoastlitigation.com
Email: bob@westcoastlitigation.com
[Attorneys for Plaintiff Victoria A. Amelina]

II. SERVED VIA OVERNIGHT MAIL

Honorable Judge Nita L. Stormes
United States District Court Southern District
12th Floor (Annex)
Suite 1210
333 West Broadway
San Diego, CA 92101